

EMERGENCY RELIEF FOR REPAIR OR RECONSTRUCTION OF HIGHWAYS AND BRIDGES DAMAGED BY FLOODS OR OTHER CATASTROPHES

SEPTEMBER 21 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. HOLLAND, from the Committee on Public Works, submitted the following

REPORT

[To accompany S. 2025]

The Committee on Public Works, to whom was referred the bill (S. 2025) to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to amend section 9 of the Federal-Aid Highway Act of 1950, approved September 7, 1950, by striking out the figure \$5,000,000 and inserting in lieu thereof \$15,000,000, thus increasing the amount available for emergency repairs to highways and bridges by \$10,000,000.

Section 9 of the Federal-Aid Highway Act of 1950 authorized the use of not to exceed \$5,000,000 of Federal-aid highway appropriations as an emergency relief fund for repair or reconstruction of highways and bridges on the primary or secondary Federal-aid highway systems damaged by floods or other catastrophes. The Federal share payable toward any of this emergency work is limited to 50 percent of the cost. Necessary appropriations would be made from time to time to reimburse the funds so expended.

The recent floods in the Midwest have seriously damaged or destroyed many roads and bridges on the Federal-aid, State, county, and local systems. Many cities and communities have been isolated and the movement of traffic seriously delayed, including a large amount important to the national defense. Unless these highways are repaired, particularly the major through-routes, the rural areas and the communities are faced with the threat of serious interruption of harvesting

and marketing their crops and regular business and community activities, with resultant heavy financial losses. Immediate repair of the roads and bridges would permit community activities in stricken areas to resume at an early date.

The general policy of providing aid in the repair and/or reconstruction of roads and bridges on the Federal-aid highway systems that are damaged or destroyed by floods or other catastrophes has been followed since 1934. By means of such authorizations funds are available in an emergency, eliminating the necessity for Congress to enact special legislation to provide funds at the time the highway facilities are damaged or destroyed.

Of the \$5,000,000 authorized in the Federal-Aid Highway Act of 1950, there now remains a balance of about \$2,800,000, a large portion of which has been allocated for repair of roads damaged by the recent floods in Kansas. Officials of the Bureau of Public Roads and the State Highway Departments of Kansas and Missouri estimate the total cost of repairing the flood damages on the Federal-aid systems in those States to be \$13,500,000, the Federal share of which would be \$6,750,000. Payment of these costs from the \$10,000,000 provided in this bill and the \$2,800,000 balance available would leave a fund of \$6,050,000 available for future emergencies, which could be used on any Federal-aid road in any State.

Realizing the seriousness of the damages to highways by floods and other catastrophes, the losses and inconveniences to the people in the areas affected, and the desirability of having sufficient funds available to provide relief after such emergencies, the committee recommends enactment of this legislation.

Comments of the Departments of Commerce and the Army, and of the Bureau of the Budget on this legislation follow:

THE SECRETARY OF COMMERCE,
Washington, August 27, 1951.

HON. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This letter is in reply to your request of August 21, 1951, for the views of this Department concerning S. 2025, a bill to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785) to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes.

The subject bill would amend section 9 of the Federal-Aid Highway Act of 1950 for the purpose of increasing the amount available as an emergency relief fund for the repair or reconstruction of Federal-aid highways and bridges damaged by floods. Inasmuch as the present balance of the existing authorization for this purpose is insufficient to cover the Federal share of the repair and reconstruction cost of such facilities which have been damaged by the recent floods in Kansas and Missouri, we urge the enactment of S. 2025.

Since 1934 Congress has followed the general policy of providing aid in the repair or reconstruction of roads and bridges on the Federal-aid highway systems that are damaged or destroyed by floods or other catastrophes by authorizing the use for that purpose of funds appropriated for carrying out the provisions of the Federal Highway Act, as amended and supplemented. By means of such authorizations funds are available in an emergency thereby making it unnecessary for Congress to enact special legislation to provide funds in each instance where highway facilities are damaged or destroyed by floods or other catastrophes.

Section 9 of the Federal-Aid Highway Act of 1950 authorizes not to exceed \$5,000,000 of Federal-aid highway appropriations to be used as an emergency relief fund for such purposes, the Federal share payable on account of any repair or reconstruction project being limited to 50 percent of the cost thereof. Of said amount there now remains a balance of about \$2,800,000, a substantial portion

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of which already has been allocated pursuant to applications received from Kansas for the repair of roads damaged by the recent floods in that State. Field engineers of the Bureau of Public Roads and State highway department officials of Kansas and Missouri have furnished preliminary estimates of the total cost of repairing the flood-damaged highways and bridges on the Federal-aid system in those States, as follows:

State	Federal-aid highway system	Estimated total cost
Kansas.....	Primary.....	\$5,900,000
Do.....	Secondary.....	6,900,000
Total.....		12,800,000
Missouri.....	Primary.....	400,000
Do.....	Secondary.....	300,000
Total.....		700,000
Grand total.....		13,500,000
Federal pro rata share.....		6,750,000

The subject bill would increase the existing authorization of \$5,000,000 to \$15,000,000. After deducting the Federal share of the estimated cost of rehabilitating the Federal-aid roads and bridges in Kansas and Missouri, the additional amount of \$10,000,000 so provided, together with the available balance of about \$2,800,000 under the existing authorization, would leave a balance of approximately \$6,050,000 available for future emergencies. Such balance is considered conservative in amount since it appears that the existing authorization of \$5,000,000 will have been committed in about a year from the date such authorization was provided by the Federal-Aid Highway Act of 1950, approved September 7, 1950.

The Bureau of the Budget has advised that since the proposed amendment embodied in S. 2025 is in line with the established method of Federal participation in emergency highway construction there would be no objection to the transmission of the report to the Congress. If we can be of further assistance in this matter, please call upon us.

Sincerely yours,

THOMAS W. S. DAVIS,
Acting Secretary of Commerce.

SEPTEMBER 14, 1951.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate.

DEAR SENATOR CHAVEZ: Reference is made to your recent request to the Secretary of Defense for the views of the Department of Defense with respect to S. 2025, Eighty-second Congress, a bill to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes. The Secretary of Defense has delegated to this Department the responsibility for expressing the views of the Department of Defense thereon.

While the Department of the Army is generally in favor of S. 2025, the granting of relief under section 9 of the Federal-Aid Highway Act of 1950 is a matter of direct concern to the particular State seeking relief and the Commissioner of Public Roads. Accordingly, detailed justification for the subject legislation should be furnished by agencies other than the Department of the Army.

The purpose of S. 2025 is to increase from \$5,000,000 to \$15,000,000 the amount made available by section 9 of the Federal-Aid Highway Act of 1950 as an emergency relief fund for the repair or reconstruction of highways and bridges on the primary and secondary Federal-aid highway systems, which have been damaged by floods or other catastrophes.

The Department of the Army is concerned with the movement of traffic important to the national defense and, therefore, is interested in the prompt construction and repair of highways and bridges damaged by floods or other catastrophes. Accordingly, legislation which would make available Federal

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funds for these purposes would be of potential benefit to the national defense. Section 9 of the Federal-Aid Highway Act of 1950 provides for the construction and repair of highways on the primary and secondary Federal-aid highway systems which have been damaged by floods or other catastrophes, but does not provide the same relief for access roads to military reservations not on these systems. The greatest potential benefit in such relief, from a national defense standpoint, is keeping the major through routes open for traffic. However, it is also important that roads which provide access to military reservations and defense industries be promptly reconstructed or repaired. Major through routes are for the most part on the primary or secondary Federal-aid highway systems and are covered by section 9 of the Federal-Aid Highway Act of 1950. The construction, maintenance, or improvement of access roads is covered by section 12 of the Federal-Aid Highway Act of 1950 etc., which is now being considered by your committee.

During the recent floods in Kansas, Missouri, and Oklahoma, all major highways in the immediate flood areas, including those directly serving five military reservations, were water damaged. Four of these reservations were temporarily isolated, and although the highways serving these reservations, which are on both the Federal-aid and State systems, have been reopened to traffic, repair work will be required before normal traffic can be resumed.

The fiscal effect of the bill is to increase the amount made available by section 9 of the Federal-Aid Highway Act of 1950 from \$5,000,000 to \$15,000,000.

This report has been coordinated among the departments and boards in the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

Inasmuch as the committee has requested that this report be expedited, it is submitted without a determination by the Bureau of the Budget as to whether it conforms to the program of the President.

Sincerely yours,

FRANK PACE, Jr.,
Secretary of the Army.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 28, 1951.

Hon. DENNIS CHAVEZ,
*Chairman, Committee on Public Works,
Senate Office Building, Washington 25, D. C.*

MR DEAR SENATOR CHAVEZ: This will acknowledge your letters of January 12, August 7, and August 21, 1951, and Mr. Burnett's letter of August 22, 1951, requesting the views of the Bureau of the Budget on S. 73, to authorize the construction of access roads necessary to the national defense, and for other purposes; S. 1956, to amend section 12 of the Federal-Aid Highway Act of 1950 and sections 6 and 14 of the Defense Highway Act of 1941, and for other purposes; and S. 2025, to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes.

S. 1956 is substantially identical with a draft bill submitted to your committee on August 3, 1951, by the Department of Commerce. The proposed legislation, while in draft form, was reviewed within the executive branch and found to be in accord with the program of the President. In this review consideration was given to the actual requirements for access-roads construction and to the proper method of financing such construction, as between the States and the Federal Government.

The actual requirements for access roads construction have not become sufficiently firm to support specific legislative authorization at this time. In accordance with present budget policy, the necessary funds can be provided by direct appropriation as requirements become more definite. Accordingly, the Commerce draft bill now in the form of S. 1956 provides for the removal of the present \$10 million limitation on the appropriations authorized for access road construction in the Federal-Aid Highway Act of 1950 and substitutes therefor an authorization for appropriation of such sums as may be necessary for that purpose to remain available until expended. However, in order to permit prompt construction of urgently needed projects already certified or in the process of certification, the proposed legislation provides for immediate contract authorization of \$15 million. A sum not to exceed \$5 million is also authorized for work deemed necessary in maneuver areas when certified to the Secretary of Commerce by the Secretary of Defense.

Under the proposed legislation, the cost of certified access road projects may be paid in whole or in part out of Federal funds appropriated for that purpose, except for projects on the Federal-aid primary system which would be financed out of existing aid authorizations as regular Federal-aid projects. The improvement of primary State highways to facilitate access to defense facilities appears to be an appropriate adjustment of existing authorizations to meet defense needs and is consistent with the program of the President for reorienting regular Government programs to the maximum degree possible to meet the needs of national defense. S. 1956 also includes certain other amendments to existing highway legislation which are intended to perfect the presently authorized program.

S. 73 would authorize to be appropriated the sum of \$100 million for the construction of access roads necessary to national defense and would provide for the acquisition of additional rights-of-way necessary for the construction of the projects authorized in accordance with the bill. In the view of the Bureau of the Budget, the problem of access roads can best be met by S. 1956, the enactment of which would be in accord with the program of the President. Accordingly, this office would recommend against the enactment of S. 73 and would recommend that your committee consider favorably S. 1956.

Since 1934 emergency relief authorizations, such as would be provided under S. 2025, have been contained in various highway acts in order to permit the prompt repair and rehabilitation of Federal-aid roads damaged by flood and other disasters. These authorizations are matched on an equal basis by the States. Inasmuch as the proposed amendment is in line with the established method of Federal participation in emergency highway reconstruction, you are advised that there would be no objection to the enactment of S. 2025.

Sincerely yours,

F. J. LAWTON, *Director.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, there is printed below in one column the existing law, and in the opposite column the changes proposed in italics:

EXISTING LAW

SEC. 9. Not to exceed \$5,000,000 of any money heretofore or hereafter appropriated for expenditure * * *.

NEW LANGUAGE

*SEC. 9. Not to exceed \$15,000,000 of any money heretofore or hereafter appropriated for expenditure * * *.*



